IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

TED H FULK and ROBERT E. MORGAN,)
Plaintiffs,)
v.) No. 3:10-0664) JUDGE HAYNES
NORMAN LEWIS, Sgt. LYNN FEILD,)
Capt. f/n/u TUCKER and)
MAYOR JOHN PIPER,)
)
Defendants.)

ORDER

Upon review of the file, the Clerk of Court mailed copies of the Order in this action to Plaintiffs Ted H. Fulk and Robert E. Morgan on September 3, 2010 (Docket Entry No. 4). The copies of the Order were returned to the Court as "Not at This Address." (Docket Entry Nos. 8 and 9).

Under Fed. R. Civ. P. 5(b), service is effective upon mailing to the party's last known address. It is a party's responsibility to inform the Court of his address so as to enable the Court to inform all parties of matters arising in the litigation. <u>Downs v. Pyburn</u>, No. 3:87-0471 (M.D. Tenn. Order filed September 4, 1987). Plaintiffs' has failed to inform the Court of their new address, and the Court is unable to conduct the necessary proceedings in this action.

Therefore, this action is **DISMISSED** without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for Plaintiffs' failure to prosecute.

It is so **ORDERED**.

ENTERED this the Hay of September, 2010.

WILLIAM J. HAYNES, JR. United States District Judge